

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ROBERT WISWELL,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY, et al.,

Defendants.

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CIV NO. 4:08-cv-013

**MEMORANDUM AND ORDER**

On July 18, 2008, the Court ordered Plaintiff to serve Defendants United States Marshal Service, Harris County, Texas, and Steven Reiter within no later than September 18, 2008, or to provide the Court with good cause explaining his failure to make such service. (Doc. No. 14 (citing FED. R. CIV. P. 4(m) (2008))). Defendant has failed to do so. Plaintiff's claims against Defendants are, therefore, **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

**SIGNED** this 27<sup>th</sup> day of October, 2008.

  
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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE